



Members Present:

Dennis Lipp, Vice-Mayor
Ryan Liang, Council Member
Ron Jarriel, Council Member

Members Absent:

Dave Browning, Mayor
Dr. J. William Louda, Council Member

Others Attending:

Dr. Irv Rosenbaum, Interim Town Manager (NCS)
Matthew Lippman, Interim Town Clerk (NCS)
Michelle Kantor, Interim Assistant Town Clerk (NCS)
Mike Cirullo, Esq., Town Attorney
Members of the Public

Others Absent:

None

1. – 4. Call to Order/Roll Call/Pledge of Allegiance/Invocation

The meeting was duly noticed and posted. Vice-Mayor Lipp called the meeting to order at 5:16.m. He then requested the roll call by Town Clerk Matthew Lippman. Town Clerk Lippman noted that both Mayor Browning and Councilman Louda were absent. Upon completion of the roll Vice-Mayor Lipp requested everyone stand for the Pledge of Allegiance and Invocation.

Vice-Mayor Lipp moved to Item #5.

5. Approval of Agenda

Councilman Liang made a MOTION to approve the Agenda, SECONDED by Councilman Jarriel and the MOTION passed unanimously 3-0, with both Mayor Browning and Councilman Louda absent.

Vice-Mayor Lipp moved to Item #6.

REGULAR AGENDA:

6. Resolution 2009-021: Solid Waste Assessment

A RESOLUTION OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, RELATING TO THE PROVISION OF SOLID WASTE COLLECTION SERVICES, IN THE TOWN OF LOXAHATCHEE GROVES, FLORIDA; APPROVING THE ASSESSMENT RATE FOR SOLID WASTE COLLECTION SERVICES FOR FISCAL YEAR 2009-2010; IMPOSING A SOLID WASTE COLLECTION ASSESSMENT AGAINST ASSESSED PROPERTY LOCATED WITHIN THE TOWN OF LOXAHATCHEE GROVES FOR THE 2009-2010 FISCAL YEAR BEGINNING ON OCTOBER 1, 2009; APPROVING THE ASSESSMENT ROLL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

Vice-Mayor Lipp opened the Public Hearing at 5:17pm.

Town Clerk Lippman said we have a process in place for Special Assessments which was enacted by Ordinance 2008-005 back in 2008. He said at the July 7, 2009 meeting you approved estimating the established rate for Solid Waste Collection which would be beginning October 1, 2009. He said the assessment you chose to impose was the same assessment as last year, mainly due to the fact that despite Waste Pro's increase in their cost, they chose not to raise the assessment for the Town. He said it includes the \$37.73 per unit annual assessment. He said this evenings hearing is to officially adopt this assessment.

Town Clerk Lippman then read the following email from Councilman Louda to the Town Council. "Though I now concede that Frank Schiola is doing a valid and good service for the community, I still contend that his contract should be paid through a rider on the per parcel SWA Assessment and not from the general funds of the Town. Should his or similar services be required for FY 2010-2011, I hope that the then Council will take this into consideration. Thank you."

Councilman Liang said as far as Councilman Louda's email I am not sure how to go forward with that, because if Frank doesn't work for the whole year than we would still be charging the residents more than they should have been.

Town Attorney Cirullo said you would have to know that when doing your Preliminary Assessment figure in July. He said because at this hearing you cannot higher it. He said but if you want to consider it for 2010-2011, you could include it in your assessment next year and that would be a policy decision on you all. He said you will have to look at that issue again before you do your Preliminary Budget in July 2010.

Town Clerk Lippman said until the Town Council has Frank Schiola executing a 12 month contract, than I think Councilman Liang is right because the tax payers are paying for it regardless, and if you wind up putting it in the assessment it makes it a little more cleaner as far as bookkeeping, but just like the Mayor said out of the same pocket. He said I think as a formality if you decide to make it an annual agreement then I would consider it, but until you are committed I would not recommend that.

Vice-Mayor Lipp said we will wait until next July on this.

Councilman Jarriel said I just think it is good that Waste Pro kept their price and we are doing good as a Town.

Vice-Mayor Lipp noted I saw a few Scribner's errors where we weren't referenced to as a Town and were referenced as a City, and where we were referenced as a Commission not a Council.

Town Attorney Cirullo responded I regret that.

Town Clerk Lippman said for the record I just want to indicate that the proof of publication is indicated and has been properly noticed.

Vice-Mayor Lipp responded so noted and recorded in the Minutes.

Town Attorney Cirullo conducted the reading of the title of Resolution 2009-021 for the record.

Councilman Liang made a MOTION to approve Resolution 2009-021 adopting the final Solid Waste Assessment as \$372. 73 per unit annually beginning October 1, 2009, SECONDED by Councilman Jarriel and discussion was then continued:

Town Clerk Lippman read for the record the full Motion above.

The MOTION passed unanimously 3-0, with both Mayor Browning and Councilman Louda absent.

Vice-Mayor Lipp closed the Public Hearing at 5:22pm.

Vice-Mayor Lipp moved to Item #7.

7. Public Comments

There were no comments.

Vice-Mayor Lipp moved to Item #8.

8. Town Management Comments

Town Clerk Lippman said Great Job-Thank you,

9. Town Attorney Comments

Town Attorney Cirullo said Great Job-Thank you,

Vice-Mayor Lipp moved to Item #10.

10. Town Council Member Comments

Councilman Jarriel said we have an awful lot of meetings this week but they are short and quick so I like that.

Vice-Mayor Lipp moved to Item #11.

11. Adjournment

Councilman Liang MOTIONED to adjourn the meeting, SECONDED by Councilman Jarriel and the Motion passed unanimously 3-0, with both Mayor Browning and Councilman Louda absent.

There being no further discussion and no additional public comment the meeting was adjourned at 5:23 p.m.



MAYOR DAVE BROWNING

ATTEST:



Michelle Kantor, Town Clerk

Date Approved